The Centre for Democratic Institutions

‘Designing Effective Judicial Education Programs’

Asia Pacific Judicial Educators’ Forum (APJEF) Workshop
28 January to 3 February 2004
at the Judicial Commission of New South Wales, Sydney

The Centre for Democratic Institutions (CDI) and the Judicial Commission of New South Wales hosted a workshop at the Commission for APJEF members from 28 January to 3 February, 2004. The funding for the workshop came from CDI, which receives its core funding from AusAID, together with assistance from the Judicial Commission.

The theme of the workshop was Designing Effective Judicial Education Programs, and dealt with the methodology of conducting needs assessments of judicial officers, facilitating curriculum design of judicial education programmes, evaluating judicial education programmes and providing feedback. The aim of the workshop was to strengthen the skills of judicial educators in delivering appropriate education programmes of high quality. The workshop was designed to allow participants to apply the knowledge they have gained to their particular circumstances.

The workshop was led by senior facilitators including Professor Neil Gold, Provost and Vice-President, Academic and Professor of Law, University of Windsor, Ontario, Canada; Professor Greg Reinhardt, Executive Director, Australian Institute of Judicial Administration; and Ms Ruth Windeler, Education Director, Judicial Commission of New South Wales.

Fourteen participants attended the workshop and came from Cambodia, Indonesia, Laos, Papua New Guinea, Philippines, Thailand, Fiji and Vietnam. They were joined by special guests Justice Margaret Wilson of the Queensland Supreme Court, retired Judge Andrew Wilson and Barrister Brian Hayes, Q.C., from South Australia, Justice Bryan Beaumont of the Federal Court along with Roland Rich and Daniel Rowland from CDI and AusAID respectively.

The Chief Justice of New South Wales welcomed everyone to the workshop. The keynote address on “Why Judicial Independence?” followed and was given by Sir Ninian Stephen. Keynote addresses on the other days of the workshop were given by Mr. Christopher Roper AM (A Case Study: Some Ideas on Designing a Course on Some Judicial Skills) and Mr. Livingston Armytage (Educating Judges). Professor Gold, Professor Reinhardt and Ernie Schmatt also gave sessions on Skills for Judges, The Judicial Education Programme at the AIJA and The Judicial Education Programme at the Judicial Commission of New South Wales, respectively. Professor Gold, Professor Reinhardt and Ms. Windeler conducted additional sessions on needs analyses, curriculum development, evaluation and the giving of constructive feedback. Ms. Joy Blunt (Senior Systems Officer, Training, Judicial Commission of New South Wales) conducted a session on the use of overheads and PowerPoint. Small group discussion sessions were the focus of the workshop; these complemented the addresses given by the above individuals.
The Workshop provided the participants with opportunities to test and apply their educational knowledge and abilities in the context of a proposed programme of judicial education. In teams the participants designed an outline of an education and training program, one on Alternative Dispute Resolution, the other on a new environmental law regime. This programme design was derived from a basic needs analysis focusing on what judges needed to know and be able to do in order to carry out their specific responsibilities in these two diverse areas. Participants were well versed in the learning and teaching cycle presented to them earlier in the Workshop and thus specified learning outcomes, appropriate teaching methods and ways to determine whether the instruction was effective and appreciated by the group. The workshop provided each participant the opportunity to benefit from their experience and the experience and knowledge of others building both strong draft programmes on-site and solid working relationships for future endeavours of the Forum.

Emerging from the sessions, participants noted the similarities and differences between the legal systems (civil vs. common law) and the judicial education systems. During the needs assessment workshop session, for example, it became apparent that designing training for those judicial officers engaged in the civil system would need to focus on different skills than those sitting in the common law system. The number of years experience as a judge and whether or not the judges are, in fact, legally trained were also noted as issues that must be considered in designing effective judicial education programmes. Smaller judicial education bodies, particularly those with judicial officers living and/or sitting in far-flung locations faced different challenges to those who had responsibility for a very large number judges who are generally trained in one central location.

The participants met for a final session on 3 February and noted what they would take away from the workshop. The benefits included gaining knowledge of new and different methods of programme development, delivery and evaluation; providing confidence for some in the projects which they have been developing; and for others providing a way to move forward in their new or established organisations.

At the final session suggestions were made for topics that should be covered at the next APJEF meeting in Bangkok in 2005. The most popular topics recommended were Distance Education, Writing Skills for Judges, Evaluation of Education and Training; and, Organisational Development and Management.

Furthermore, it was agreed that there should be a mix between practical and theoretical topics in future forums; it is extremely valuable to share and exchange experiences amongst judicial educators, judicial mentors, advisors from the Asia Pacific – and with those colleagues from non-member countries; and, the Forum meeting and the educational sessions should not be separated.

Professor Neil Gold and Ms. Ruth Windeler

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